

**IN THE UNITED STATES DISTRICT COURT
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

**SENECA SPECIALTY INSURANCE
COMPANY,**

Plaintiff,

v.

**RANDY E. CHAPPELL, VINTON
HOOKAH LOUNGE, LLC D/B/A
ANGELS, AARON MICHAEL
WARREN, AND FELICA MANUEL
INDIVIDUALLY AND AS NEXT
FRIEND OF NOAH MANUEL AND
ON BEHALF OF THE ESTATE OF
DAMIEN MANUEL,**

Defendants.

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CIVIL ACTION NO. 1:20-CV-222

PROPOSED ORDER ON DEFENDANT'S 12(B)(1) MOTION TO DISMISS

On this day came to be heard *Defendant FELICA MANUEL, Individually and as next friend of Noah Manuel and on behalf of the Estate of Damien Manuel's 12(b)(1) Motion to Dismiss For Lack of Subject Matter Jurisdiction* [Dkt. 33]. After considering the motion, the pleadings, responses, and arguments of counsel, the Court is of the opinion the Motion should be GRANTED.

It is therefore ORDERED, ADJUDGED, AND DECREED, that SENECA SPECIALTY INSURANCE COMPANY's Declaratory Judgment Action as to its duty to indemnify is dismissed without prejudice.